

Notice of Allowability

Application No.

10/603,673

Examiner

Kevin P. Kerns

Applicant(s)

ROZE ET AL.

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 26 June 2003.
2. ☒ The allowed claim(s) is/are 10 and 16-19.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/806,864.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the claims:

In claim 10, step (c), replace "foundry shape mix" with --the foundry mix--.

In claim 18, replace "18" with --17-- before "wherein".

In claim 19, replace "19" with --18-- before "wherein".

In the specification:

On page 2 of the preliminary amendment to the specification, 2nd line after "CLAIM TO PRIORITY", insert --now abandoned-- after "2001".

On page 2, 6th line, of the original specification, replace "177" with --771--.

On page 6, line 20, of the original specification, replace "N/cm₂" with --N/cm²--.

On page 6, line 22, of the original specification, delete "s." before "EP".

The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest a process for preparing a foundry shape by the cold-box

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process, in which the process includes the step of forming a foundry mix that includes a phenolic resole resin component and an isocyanate component, with the phenolic resin component including an alkoxy-modified phenolic resole resin component, such that the phenolic resin component, isocyanate component, or both components contain a fatty acid ester having from 1 to 12 carbon atoms in the alcohol chain of the fatty acid ester (independent claim 10). This process also shows unexpected results, as set forth in Table IV on page 14 of the specification, and further discussed in pages 5-9 of the applicants' response of June 26, 2003, as a fatty acid ester improves the tensile strength of an alkoxy-modified phenolic resole resin component. Conversely, fatty acid ester addition to a non-alkoxy-modified resole resin component, as well as no fatty acid ester addition to an alkoxy-modified phenolic resole resin component, both result in a reduction of tensile strength to the foundry mix during and after subsequent curing (in reference to the applicants' discussion of unexpected results in Table IV, on pages 5-9 of the applicants' response).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. EP 771 599 A1 is additionally cited as related art. The Laitar et

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al., Iyer et al. (2), Fechter et al., Henry et al., Dunnavant et al. (2), Singh et al., and Dando et al. (2) references are also cited but not included herein, since these references were previously cited and copies were included in parent application No. 09/806,864.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin P. Kerns whose telephone number is (571) 272-1178. The examiner can normally be reached on Monday-Friday from 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin P. Kerns
Examiner
Art Unit 1725

KPK
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February 23, 2004

Kiley Stoner AU 1725
Kiley Stoner 2/24/04